

Senate File 2283

H-8134

1 Amend Senate File 2283, as passed by the Senate, as
2 follows:
3 1. Page 6, after line 7 by inserting:
4 <Sec. _____. Section 484B.1, Code 2011, is amended by
5 adding the following new subsection:
6 NEW SUBSECTION. 3A. "Elk" means an animal
7 belonging to the cervidae family and classified as part
8 of the canadensis species of the cervus genus.
9 Sec. _____. NEW SECTION. **484B.4A Minimum enclosed**
10 **acreage — exceptions.**
11 1. A hunting preserve on which elk are kept must
12 include at least three hundred twenty contiguous acres
13 which are enclosed by a fence as required pursuant to
14 section 484B.5. However, a person may keep elk only
15 on a hunting preserve that includes a fewer number of
16 enclosed acres if either of the following applies:
17 a. The commission grants a waiver for the hunting
18 preserve according to terms and conditions required by
19 the commission. The hunting preserve must include at
20 least one hundred sixty contiguous acres.
21 b. (1) The hunting preserve was operated as a
22 business on January 1, 2005.
23 (2) If the hunting preserve operated as a business
24 on January 1, 2005, the landowner or the landowner's
25 successor in interest may sell or otherwise transfer
26 ownership of the hunting preserve to another person
27 who may continue to operate the hunting preserve
28 in the same manner as the landowner. However, this
29 subparagraph shall not apply if the owner of the
30 hunting preserve or any successor in interest fails to
31 meet the licensing requirements of section 484B.4 each
32 year.
33 Sec. _____. Section 484C.1, Code 2011, is amended by
34 adding the following new subsection:
35 NEW SUBSECTION. 3A. "Elk" means an animal
36 belonging to the cervidae family and classified as part
37 of the canadensis species of the cervus genus.
38 Sec. _____. Section 484C.5, Code 2011, is amended to
39 read as follows:
40 **484C.5 Minimum enclosed acreage — exceptions.**
41 1. A hunting preserve must include at least three
42 hundred twenty contiguous acres which are enclosed by a
43 fence certified pursuant to section 484C.6. However,
44 the hunting preserve may include a fewer number of
45 enclosed acres if any of the following applies:
46 1. a. The commission grants a waiver for the
47 hunting preserve according to terms and conditions
48 required by the commission. The hunting preserve must
49 include at least one hundred sixty contiguous acres.
50 2. ~~a.~~ b. (1) The hunting preserve was operated

1 as a business on January 1, 2005.

2 ~~b.~~ (2) If the hunting preserve operated as a
3 business on January 1, 2005, the landowner or the
4 landowner's successor in interest may sell or otherwise
5 transfer ownership of the hunting preserve to another
6 person who may continue to operate the hunting preserve
7 in the same manner as the landowner. However, this
8 ~~paragraph~~ subparagraph shall not apply if the owner of
9 the hunting preserve or any successor in interest fails
10 to register with the department as provided in section
11 484C.7 for three or more consecutive years.

12 ~~3. a. c.~~ (1) The hunting preserve was not
13 operated as a business on January 1, 2005, and all of
14 the following apply:

15 (1) (a) The hunting preserve has at least one
16 hundred contiguous acres.

17 (2) (b) The hunting preserve's fence is certified
18 by the department not later than September 1, 2005.

19 ~~b.~~ (2) If the hunting preserve complies with
20 ~~paragraph "a"~~ subparagraph (1), the landowner or the
21 landowner's successor in interest may sell or otherwise
22 transfer ownership of the hunting preserve to another
23 person who may continue to operate the hunting preserve
24 in the same manner as the landowner. However, this
25 ~~paragraph~~ subparagraph shall not apply if the owner of
26 the hunting preserve or any successor in interest fails
27 to register with the department as provided in section
28 484C.7 for three or more consecutive years.

29 2. Notwithstanding any other provision of this
30 chapter or chapter 484B, a person may keep whitetail
31 and elk together on a hunting preserve that includes
32 less than three hundred twenty enclosed acres if the
33 person receives a waiver as provided in subsection 1,
34 paragraph "a" or meets the conditions specified in
35 subsection 1, paragraph "b".>

36 2. Page 6, after line 13 by inserting:

37 <Sec. _____. EFFECTIVE UPON ENACTMENT. The following
38 provision or provisions of this Act, being deemed of
39 immediate importance, take effect upon enactment:

40 1. The sections of this Act amending sections
41 484B.1, 484C.1, and 484C.5.

42 2. The section of this Act enacting section
43 484B.4A.>

44 3. Title page, line 3, by striking <and>

45 4. Title page, line 4, after <applicable> by
46 inserting <, and including effective date provisions>

47 5. By renumbering as necessary.

J. SMITH of Dickinson